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JOHN E. POTTER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PAT DELOS SANTOS,	)	Case No. C 06-02948 VRW
	)	
Plaintiff,	)	STIPULATION TO CONTINUE CASE
	)	MANAGEMENT CONFERENCE;
v.	)	DECLARATION OF LETITIA R. KIM;
	)	<del>PROPOSED</del> ORDER
JOHN E. POTTER, Postmaster General,	)	
	)	
Defendant.	)	
	)	

**STIPULATION**

A Case Management Conference is currently scheduled for January 9, 2007 at 9:00 a.m. Defendant will not have appeared by then, because his responsive pleading is currently due on January 12, 2007. (Kim Decl. ¶ 2.) Unfortunately, defendant will be unable to file a responsive pleading in advance of that date because defense counsel will be out of the country until January

1 5, 2007. (*Id.*) Additionally, counsel for plaintiff will be out of the country from January 22,  
2 2007 through approximately February 20, 2007. (*Id.* ¶ 3.) In order to give the parties an  
3 opportunity to meet and confer under Rule 26(f) and prepare a joint case management statement  
4 after plaintiff's counsel returns, the parties respectfully request that the Court continue the Case  
5 Management Conference to March 13, 2007 at 9:00 a.m. (*Id.* ¶ 4.)

6 The parties do not anticipate requesting further continuances of this Case Management  
7 Conference.

8 IT IS SO STIPULATED.

9 DATED: 12.21.06

KEVIN V. RYAN  
United States Attorney

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12 By: LETITIA R. KIM  
13 Assistant United States Attorney  
14 Attorneys for Defendant

15 DATED: Dec. 20, 2006

M.G. TEODORO LAW

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18 By: MAY ANTOINETTE G. TEODORO  
19 Attorney for Plaintiff  
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**DECLARATION OF LETITIA R. KIM**

I, Letitia R. Kim, declare as follows:

1. I am licensed to practice law in this district, and am an Assistant United States Attorney, counsel for the defendant in this action. The statements contained in this declaration are within my personal knowledge. I make this declaration in support of the parties' stipulated request to continue the Case Management Conference.

2. Service on the defendant was completed on November 1, 2006. Because I will be out of the country from December 22, 2006 through January 5, 2007, plaintiff's counsel and I stipulated that defendant's responsive pleading would be due on January 12, 2007. I will be unable to file a responsive pleading in advance of that due date because I will be out of the country until January 5, 2007.

3. Plaintiff's counsel, May Antoinette Teodoro, advised me she will be out of the country from January 22, 2007 through approximately February 20, 2007.

4. Because defendant will not have appeared by January 9, 2007 and Ms. Teodoro will be out for a month until approximately February 20, 2007, Ms. Teodoro and I agreed to request a continuance of the Case Management Conference to March 13, 2007.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct

Executed this 21<sup>st</sup> day of December, 2006, at San Francisco, California.

/s/

\_\_\_\_\_  
Letitia R. Kim

~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation and the declaration of Letitia R. Kim, it is ordered that the Case Management Conference, which was previously scheduled for January 9, 2007 at 9:00 a.m., is continued to March 13, 2007 at 9:00 a.m.

IT IS SO ORDERED.

Dated: December 22, 2006

